

PROBATION DEPARTMENT DIRECTIVE

No.	964
Issued	01/06/04
Post Until	02/03/04

SUBJECT: REFERRALS TO INTERNAL AFFAIRS

Probation's Internal Affairs receives complaints from various sources such as the Auditor-Controller, outside agencies including law enforcement, citizens' complaints, and requests for investigations referred from Probation Bureau Chiefs. Complaints tend to have common themes or origins, but unique aspects relative to the specific event or incident.

Determining the venue most appropriate to investigate a case will in many instances be a subjective decision. The determination should be based on individual circumstances and/or components of each incident including, but not limited to, the level of complexity, involvement of parties outside of the Department, link to a criminal investigation, issues relevant to employee performance, and/or the need for independence from bureau staff. Incidents of alleged sexual harassment and/or discrimination should be referred to the Department's Office of Affirmative Action Compliance.

Cases can generally be differentiated into categories based on the type of incident. Below is a listing of common incident types, and an indication of preference for investigation by either the applicable bureau or Internal Affairs.

Bureau Investigations:

- Rudeness to staff and/or the public
- Workplace performance issues
- Failure to return telephone calls
- Disagreement with findings in Probation Officer's report
- Unsafe driving
- Hall or camp use of force allegations
- Time abuse (1)
- Hostile work environment (1)
- Conflict of interest (1)
- Threats, workplace violence (1)
- Outside employment (1)
- Harassment (1)

Internal Affairs Investigations:

- Fraud, embezzlement
- Other potential State Code violations
- Incidents involving law enforcement
- Complex incidents involving other County departments or government agencies
- CORI violations
- Off-duty conduct unbecoming a Peace Officer
- Caseload reporting falsification (computer systems)
- Time abuse (1)
- Hostile work environment (1)
- Conflict of interest (1)
- Threats, workplace violence (1)
- Outside employment (1)
- Harassment (1)

(1) Based on level of complexity

Prior to a case being referred by a bureau to Internal Affairs, preliminary work on the part of the bureau needs to occur, including witness statements and documentation. The objective is to get investigations completed expeditiously and with the enhanced quality that comes with a timely interview.

Internal Affairs will continue to review each referred case and make recommendations for the appropriate venue to investigate each matter based on the guidelines in this directive.

County policy requires that all complaints involving fraud, employee theft or irregularities involving monies or resources be forwarded to the Auditor-Controller, who in turn decides whether the complaint will be handled by their investigators or referred back to Probation for investigation. Cases in this category should be forwarded to Internal Affairs for coordination with the Auditor-Controller.

Questions regarding this Directive should be directed to Stephen Strati at (562) 940-3851.



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